

PROCEEDINGS OF THE COMMON COUNCIL

IN Regular SESSION

Tuesday, April 23, 19 74

CITY OF FORT WAYNE, INDIANA

JOURNAL OF THE PROCEEDINGS

OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers

Tuesday evening April 23 A.D., 19 74, in Regular

Session. President Samuel J. Talarico in the chair, and

Charles W. Westerman Clerk, at the desk, present the following

members viz:

Burns ✓, Hinga ✓, Kraus ✓

Moses ✓, Nuckols ✓, Donald Schmidt ✓

Vivian Schmidt ✓, Stier ✓, Talarico ✓

Absent

Councilmen , ,

The invocation was given by Charles Ellinwood - Crescent Avenue

United Methodist Church

Received report from the City Controller for the month of ,

19 . Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last special , 19 ,
regular April 9, 19 74,

Session having been delivered to the Council, were, on motion, approved and published.

City-Council Meeting, Tuesday, April 23, 1974.

Father, to be a politician is to hear voices.

Angry voices,
Pleading voices,
Threatening voices,
Reasonable voices,
Emotional voices,
Partisan voices,
Motion-making voices--

We cannot heed them all. They contradict. They oppose. They are like
stereo turned to full volume.

Each of us tonight, politician and community citizen alike, want to do
what is right. It is not easy. We have to select from among the voices.
Let us hear them all, but not so we become deaf to truth. Let us understand
them all, but not so we fail to make decisions.

Let your voice of truth, and justice, and fairness for all citizens strip
away the rhetoric, the baloney, the self-seeking from the many voices that
the decisions of these council members be marked by wisdom and sensitivity.

We thank you, Father, for your presence in the wholeness of our lives to
always love, guide, comfort, and challenge us.

Amen.

Charles R. Ellinwood



THE CITY OF FORT WAYNE

office of the mayor

April 11, 1974

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, April 11, 1974, I have approved the following ordinances passed by
Common Council at its Regular Meeting on April 9, 1974.

(Bill No. R-74-04-21)
RESOLUTION NO. R-27-74

A RESOLUTION OF COMMENDATION TO FIRE FIGHTER, DONALD ALSAUGH.

(Bill No. S-74-04-20)
SPECIAL ORDINANCE NO. S-43-74

AN ORDINANCE authorizing the issuance and sale of \$1,100,000 Economic Development Revenue Bonds Series 1974 (Kunkle Valve Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Kunkle Valve Company, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

(Bill No. S-74-03-26)
SPECIAL ORDINANCE NO. S-44-74

AN ORDINANCE approving a certain bid document with MOELLERING CONSTRUCTION CO. for Pond improvements for Reservoir Park, Open Space Land Program Part II, Sub-Project A-HUD Open Space Project OSC-1008.

(Bill No. S-74-03-27)
SPECIAL ORDINANCE NO. S-45-74

AN ORDINANCE approving a certain bid document with DUTHLER FORD, INC., for pick-up truck.

(Bill No. S-74-03-28)
SPECIAL ORDINANCE NO. S-46-74

AN ORDINANCE approving a certain bid document with CEKA INC. for Demolition.

MADE A MATTER OF RECORD
DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK

(Bill No. R-74-04-09)
RESOLUTION NO. R-23-74

Resolution authorizing the temporary advancement of funds from the Redevelopment District Capital, Motor Vehicle Highway, Flood Prevention & River Improvement, St. Marys River Impounding, Local Road & Street, Accident Report Account, Inner City Storm Relief Project, Neighborhood Youth Corp, Fire Fighting Fund, Open Space Program funds to the General Fund for the period ending June 30, 1974.

(Bill No. R-74-04-10)
RESOLUTION NO. R-24-74

A RESOLUTION transferring certain funds in the 1974 Budget of Human Resources.

(Bill No. R-74-04-11)
RESOLUTION NO. R-25-74

A RESOLUTION authorizing transfer of money from the General Fund to the Street Department.

(Bill No. R-74-04-12)
(AMENDED)
RESOLUTION NO. R-26-74

A RESOLUTION reducing certain line items in the 1974 Civil City Budget.

(Bill No. Z-73-06-11)
ZONING MAP ORDINANCE NO. Z-03-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-17.

(Bill No. Z-73-12-10)
ZONING MAP ORDINANCE NO. Z-04-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF1.

(Bill No. Z-73-12-12)
ZONING MAP ORDINANCE NO. Z-05-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A12 & AA12.

(Bill No. Z-74-01-10)
ZONING MAP ORDINANCE NO. Z-06-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. GG3.

(Bill No. G-74-03-23)
GENERAL ORDINANCE NO. G-06-74

AN ORDINANCE amending Section 12 of Article I of Chapter 28 of the Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.

(Bill No. S-74-03-31)
SPECIAL ORDINANCE NO. S-47-74

AN ORDINANCE approving a Lease with Mandel E. & Judith C. Himmelstein for property at the Southwest corner of Pontiac & Calhoun.

(Bill No. S-74-03-32)
SPECIAL ORDINANCE NO. S-48-74

AN ORDINANCE approving a certain bid document with CENTRAL SUPPLY CO. for replacement parts for inventory for Water construction Department.

(Bill No. S-74-03-33)
SPECIAL ORDINANCE NO. S-49-74

AN ORDINANCE approving City Utilities Purchase Orders for the purchase of materials to be used in Construction of two new substations.

(Bill No. G-74-03-35)
GENERAL ORDINANCE NO. G-07-74

AN ORDINANCE prohibiting the Distribution or exhibition of Obscene Matter or Performances.

Respectfully yours,



Edward Kamnikar
City Controller

Proclamation

WHEREAS, Government at any level is successful only so long as it is able to meet the needs of the people; and

WHEREAS, in order to best serve the citizenry, municipal government must be operated with efficiency and in an orderly fashion; and

WHEREAS, the efficiency and order with which government carries out its public functions could not exist without records and procedures; and

WHEREAS, the City Clerk of Fort Wayne will dedicate the new Records Room of his Office where a compilation of Official Records, related to the laws, ordinances and judicial records will be filed under one roof and in a central location for the first time in the history of our City; and

WHEREAS, such records dated back from February 22, 1840, the date of charter, to the present date of 1974; and

WHEREAS, the City Clerk's Office Record Room has become a reality because of the two years of work, dedication and research contributed, by loyal citizenry and the extra dedication of the employees freely giving of their off-hour time, this library will be dedicated on May 6, 1974; and

WHEREAS, the new Municipal Code of the City of Fort Wayne will become a reality in the very near future due to the codification work accomplished by the use of this Room; and

WHEREAS, the bi-weekly Journal of the Common Council has been produced modernly and an annually codified index by the Office of City Clerk of Fort Wayne. Said Office has received local, state and national compliments; and

WHEREAS, the Common Council agenda of proceedings, newly-created and assembled, which availed the members of the Common Council of Fort Wayne, the Administrative Officers, the news-media, to be informed of the happenings; and

WHEREAS, the Violations Bureau of the City of Fort Wayne underwent a re-evaluation and re-organization to serve better the people of this Community to provide better and more efficient parking for the City and maintain a prompt collection of all violations, has increased the record high of \$47,000. to \$100,000. plus in violation revenues collected; and

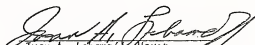
WHEREAS, the Municipal Clerks are keepers of the records and work with these procedures each day; and

WHEREAS, without the Municipal Clerks' conscientious dedication to the duties of their office and to their City, Municipal affairs would clearly end in chaos.

NOW THEREFORE, I, Ivan A. Lebamoff, Mayor of the City of Fort Wayne, Indiana, do hereby proclaim the week of May 6, through May 11, 1974, as Municipal Clerks' Week in the City of Fort Wayne, and hereby commend all City Clerks for their outstanding dedication to the City they represent.

DATED this 23rd day of April, 1974.




Ivan A. Lebamoff, Mayor
City of Fort Wayne, Indiana

MADE A MATTER OF RECORD

DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

office of city plan commission

April 11, 1974

COMMUNICATION FROM CITY PLAN COMMISSION

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

At the regular meeting of the Common Council held December 5, 1972, a proposed ordinance annexing territory to the City of Fort Wayne was introduced and referred to the City Plan Commission for study and recommendation. Such proposed ordinance was designated as Bill No. X-72-12-09.

Transmitted herewith is the report of the City Plan Commission as formulated at its regular meeting held March 25, 1974.

It is the recommendation of this Commission that the proposed ordinance does meet the criteria for annexation and that the ordinance be returned to the Common Council with the recommendation that it DO PASS. It is further recommended that this ordinance be so enacted as to become effective January 1, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
11th day of April, 1974.

George H. Roser
Secretary

MADE A MATTER OF RECORD
DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

office of city plan commission

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Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
11th day of April, 1974.

George H. Roser
Secretary

GLENWOOD PARK EXTENDED ANNEXATION STUDY

Bill Number X-72-12-09

The area proposed for annexation by Bill Number X-72-12-09 meets the criteria for annexation as established by the Fort Wayne City Council & Indiana Statute as follows:

1. THE AREA PROPOSED FOR ANNEXATION MUST HAVE AT LEAST ONE-EIGHT (1/8) OR 12% OF ITS AGGREGATE EXTERNAL BOUNDARIES COINCIDE WITH THE BOUNDARIES OF THE ANNEXING CITY:

This area is contiguous to the city on its western and southern boundary for a distance of approximately 8,700 feet. With a total perimeter length of approximately 15,600 feet this represents 55% of its boundary.

2. THE AREA PROPOSED FOR ANNEXATION MUST HAVE A UNITY OF INTEREST WITH THE MUNICIPALITY:

A large percentage of the residents in the area have municipal services at the present time. In addition a large percentage of the residents in the area work, shop and spend much of their recreational time inside the City of Fort Wayne. The 1970 Census has defined an 'urbanized area' around Fort Wayne and this proposed annexation falls within this area.

3. THE ADVANTAGES TO THE PROPOSED ANNEXATION MUST OUTWEIGH THE DISADVANTAGES:

Residents of the area would experience an increase in taxes. This increase, however, would be more than offset by the provision of more services to the area.

4. THE ADVANTAGES TO THE CITY MUST OUTWEIGH THE DISADVANTAGES:

The city would continue to realize a normal, active growth. All projections indicate that the Fort Wayne urbanized area is and will continue to grow into the foreseeable future. This growth can only be accommodated by the provision of additional utility service and by improving present transportation facilities. The cost of these services must be borne by those who demand it. Annexation is one way of insuring that the costs of this growth are distributed equitably.

To insure that the proper planning of these additional services is done thoroughly and efficiently, areas such as this must be included.

5. THE DEFICIT OF INCOME AGAINST EXPENSE TO THE CITY MUST NOT BE UNREASONABLE:

Through annexation the City would realize a net gain in income. The excess of revenue over expenditure would total \$5,043.00 per annum.

6. THE CITY HAS DEVELOPED A FISCAL PLAN TO FURNISH THE TERRITORY, WITHIN A PERIOD OF THREE (3) YEARS, GOVERNMENTAL AND PROPRIETARY SERVICES:

At the present time, a large percentage of this area is either being served by city water and sanitary sewers. Other city services, such as police and fire protection, road maintenance, garbage collection, etc., would commence upon annexation.

7. THAT THE RESIDENT POPULATION IS EQUAL TO AT LEAST THREE (3) PERSONS PER ACRE, OR THAT THE LAND IS ZONED FOR COMMERCIAL, BUSINESS OR INDUSTRIAL USES, OR THAT SIXTY PERCENT (60%) OF THE LAND IS SUBDIVIDED:

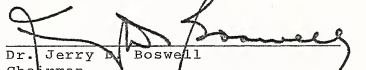
Since the present population of the area is approximately 1,911 persons, this would exceed the three (3) persons per acre set forth on the 313 acre annexation.

8. THE CITY MUST DESIRE TO ANNEX THE AREA:

This area represents a normal, logical extension of the city and has the potential for absorbing needed growth;

Based upon the above, it is the finding of the Planning Staff that the area proposed for annexation by Bill Number X-72-12-09 meets the criteria for annexation and, therefore, should be returned to the Common Council with the recommendation that it DO PASS.

Respectfully submitted;


 Dr. Jerry D. Boswell
 Chairman
 Subdivision and Annexation Committee

GLENNWOOD

FORT WAYNE
STATE
HOSPITAL

PARK EXTENDED

Annexation Report

Prepared By Rick Kunkel

PLANNING COMMISSION STAFF

Annexation Study

At the regular meeting of the Common Council held December 5, 1972, the proposed ordinance annexing territory to the City of Fort Wayne was introduced and referred to the Committee on Annexation.

The boundaries of the area described in the pending ordinance are shown by the accompanying map.

1. Basic Data:

A. LOCATION:

Bounded on the east by a line parallel to and approximately 1/2 mile east of Reed Road bounded on the south by State Boulevard. Bounded on the west by Reed Road and bounded on the north by Trier Road except the 8 acre plot of land lying within the southeast corner of Trier Road and Reed Road.

B. SIZE:

Approximately 313 acres or .48 square miles.

C. POPULATION:

Using the 1970 census tract figures for this area, a factor of 3.8 persons per housing unit was derived, so the estimated population of this area is approximately 1,911 persons.

D. BUILDINGS:

<u>TYPE</u>	<u>NUMBER</u>	<u>CONDITION</u>
Residential	451	Good to Excellent
Apartment	52 units	Good
Condominium	40 units	Excellent
Total number of housing units	543	Excellent
School	1	Excellent
Fire Station	1	Excellent

E. STREETS & ROADS:

<u>JURISDICTION</u>	<u>NUMBER OF MILES</u>	<u>CONDITION</u>
County	3.57	Good to Excellent

F. ZONING:

<u>JURISDICTION</u>	<u>ZONING</u>	<u>NO. OF ACRES</u>
City of Fort Wayne	"RA"	313

G. LAND USE (Present):

<u>LAND USE</u>	<u>PRESENT OCCUPANCY</u>	
<u>TYPE</u>	<u>ACRES</u>	<u>%</u>
Residential	164.95	53
School	15.65	5
Fire Station	.96	.2
Apartment	2.8	1
Condominium	4.27	1
Streets & Roads	21.69	7
Vacant Land	99.53	31.8
Swimming Club	<u>3.15</u>	<u>1</u>
	313	100

H. LAND USE PLAN:

TYPE:

Low Density REsidential

II. Growth Potential:

Located approximately in the center of the burgeoning residential northeast, Glenwood Park Extended is accessible by numerous arteries leading in every direction; Trier, Reed, Vance, and State directly provide access while Maplecrest, Lake and the Bypass are nearby.

Glenwood Park Extended lies in an area where land use changes present minimal environmental problems. Soils maps indicate that this area would be well-adapted to urban uses is moderate erosion control and drainage hazards are corrected. Community sewers have already been provided. Topography has not been an obstacle to development.

The land on three sides of this annexation area is fully developed upon its intended framework of low-density, single family residential subdivisions. The majority of this development has taken

place in the last 5-15 years. Only the land contiguous to the east is undeveloped - farms occupy this land. Future residential development of this land, as well as the underdeveloped land within the annexation area, would be in conformance with present zoning and land-use policies.

The 1963 Master Plan proposes low density residential uses. The existing development character of this area generally conforms to low density residential use. Present information substantiates uses indicated in the 1963 Master Plan.

The median income of families (1969) in the surrounding area of Glenwood Park Extended (X-72-12-09) is \$16,511. This is \$6,000. more than the city wide median income.

III Urban Services:

A. WATER

All platted sub-divisions and streets within the area are presently served with an adequate supply of city water with the exception of Charlotte Avenue, which extends eastward from the Reed Road. Provisions have been made by the installation of a 6 inch connection at Reed Road, for an extension eastward on Charlotte Avenue, as well as a second connection on Berkley Drive at Eastwick Drive to make service available to this street at such time at the property owners should petition for it and make arrangements for paying the cost, in accordance with normal rules and regulations. Also note, there is a 35% surcharge on water service for areas outside the city limits. Upon annexation the surcharge on water service will be eliminated.

B. SEWER

Sanitary sewer service for the area can be improved with a new sewer estimated to cost about \$60,000. and will provide for the elimination of a lift station on Maxim Drive south of Vance Avenue. Storm sewer service is provided for in all developed areas. Also note, there is a 100% surcharge for sewer service for areas outside the city limits. Upon annexation the surcharge on sewer service will be eliminated.

C. STREETS & ROADS

All streets within the annexation area are in fair to good condition with the exception of Camelot Drive which was rated poor.

The cost for the improvement of Reed Road is \$1,188,590.00. Under present City-County responsibilities the City's cost would be \$95,221.00 and the County's is \$1,093,369.00.

Upon annexation, the entire length of the project will be included within the city limits and the entire cost will be borne by the City. Using the present formula for local matching of federal highway funds, the City would pay 30% or \$356,577. of the total cost. At present, there is no firm schedule for the improvement but their capital cost must be considered in any long term cost benefit analysis.

Maintenance - The average cost to provide this service is \$2,100.00 per mile. This area contains approximately 3.57 miles of streets with an annual maintenance cost of \$7,497.00.

D. POLICE PROTECTION

On the basis of one (1) officer per 500 persons, it would cost approximately \$66,664.00 to provide service to this area.

E. FIRE PROTECTION

The following report was submitted by Thomas A. Heckman, Fire Chief: "We have studied the proposed annexation and feel there would be no additional costs to our department provided we extend service from our existing facilities".

F. STREET LIGHTING

If the residents of this area petition the Board of Works to install street lighting, approximately 103 would be needed to light the area at a cost of approximately \$66,950 with concrete poles and underground wire plus \$1,297.80 per year for energy and maintenance.

G. TRAFFIC CONTROL

The following report was submitted by Walt Stout, Traffic Engineering:

A study has been made on Glenwood Park Extended area regarding the updating of existing traffic control signs and for additional signs that were deemed necessary for future traffic control improvements. It was found that 45 traffic signs and posts would need to be installed at a cost of \$1,360.65.

H. GARBAGE COLLECTION

Under the terms of the present contract, the cost for garbage collection in this area would be \$9,187.07 per year. This figure is based on 491 single family units in the area at a 1974 cost of \$19.26 per units and 52 apartment units at a 1974 cost of \$19.26 per every two (2) units.

I. SCHOOLS

This area is served by the Fort Wayne Community School System.

J. ADMINISTRATIVE COSTS

Included in this category are several departments of the municipality which provides various services, not measurable in terms of dollars and cents.

Examples are:

City Park Board, Traffic Engineering, Civil Defense, Human Relations Commission, Building Departments, Urban Renewal, Board of Health, Planning, Humane Shelter, and smaller departments such as the Traffic Sign Shop.

The costs of the proposed annexation to these departments is difficult to determine since the services they provide are of a more general city-wide nature. Consequently, no estimate is given concerning the cost to these departments. However, all of these services would be available immediately to the area upon annexation to the City. In fact, some of the services are probably already being utilized by the residents of this area, even though they are outside of the Corporate Limits. (The City Park Board is a case in point).

There are other municipal administrative costs which cannot be directly related to the size or demand of an area. These costs include such things as the Mayor's Office, City Council, Attorney's Office, City Clerk, Board of Public Works, and City Controller.

IV. Financial Summary:

A. REVENUE:

I. Assessed Valuation:

Land Value	\$	899,521
Improvements		4,144,870
Total Tax Base	\$	5,044,391

City would receive approximately \$3.71 per \$100.00.

EXPECTIVE REVENUE:

	<u>ACTUAL</u>	<u>POTENTIAL</u>
Property Taxes	\$ 187,146.90	\$ 187,146.90
Cigarette Tax*		(5,618.34)
Alcoholic Gallonage Tax*		(2,579.85)
Gasoline Tax*		(17,427.32)
	<hr/>	<hr/>
Total Expected Revenue	\$ 187,146.90	\$ 212,773.41

* There will be no additional revenue received until the 1980 census. Unless a special census is called. Also note cigarette tax would not be affected by special census and only effected by 1980 census.

EXPENDITURES

<u>TO BE SUPPLIED</u>	<u>CAPITAL</u>	<u>OPERATING</u>
Road Maintenance	\$	\$ 7,497.00
Streets	356,577	
Street Lighting	66,950	1,279.80
Sewers	60,000	
Police Protection		66,664.00
Garbage		9,957.42
	<hr/>	<hr/>
	\$ 483,527	\$ 85,398.22

SUMMARY:

	<u>ACTUAL</u>	<u>POTENTIAL</u>
Annual Revenue	\$ 187,146	\$ 212,773
Average One Year	\$ 96,705 (Capital)	
Expenditure	<u>\$ 85,398</u> (Operating)	
	<u>\$ 108,103</u>	<u>\$ 182,103</u>
Average One Year		
Gain (Loss)	\$ 5,043	\$ 30,670
Total 5 Year	\$ 483,527 (Capital)	
Expenditure	<u>\$ 426,990</u> (Operating)	
	<u>\$ 910,517</u>	<u>\$ 910,517</u>
Total 5 Year		
Gain (Loss)	\$ 25,213	\$ 153,348

These income figures are based primarily on the four (4) major services to be supplied at the cost of the City. This figure would be somewhat less if other administrative costs could be adequately quantified. Also the net income to the City would be increased by \$25,627.00 per annum if we could begin collecting the other revenues upon annexation. Assuming an annexation date of 1/1/75, this would mean a total revenue of \$128,135.00 by 1980.



THE CITY OF FORT WAYNE

office of city plan commission

April 11, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

At the regular meeting of the Common Council held December 5, 1972, a proposed ordinance annexing territory to the City of Fort Wayne was introduced and referred to the City Plan Commission for study and recommendation. Such proposed ordinance was designated as Bill NO. X-72-12-08.

Transmitted herewith is the report of the City Plan Commission as formulated at its regular meeting held March 25, 1974.

It is the recommendation of this Commission that the proposed ordinance does meet the criteria for annexation and that the ordinance be returned to the Common Council with the recommendation that it DO PASS. It is further recommended that this ordinance be so enacted so as to become effective January 1, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and Signed this
11th day of April, 1974.

George H. Roser
Secretary

MADE A MATTER OF RECORD
DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE
office of city plan commission

April 11, 1974

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Respectfully submitted,

CITY PLAN COMMISSION

Certified and Signed this
11th day of April, 1974.

George H. Roser
Secretary

CANTERBURY GREEN ANNEXATION STUDY

Bill Number X-72-12-08

The area proposed for annexation by Bill Number X-72-12-08 meets the criteria for annexation as established by the Fort Wayne City Council and Indiana Statute as follows:

1. THE AREA PROPOSED FOR ANNEXATION MUST HAVE AT LEAST ONE-EIGHTH (1/8) OR 12% OF ITS AGGREGATE EXTERNAL BOUNDARIES COINCIDE WITH THE BOUNDARIES OF THE ANNEXING CITY:

This area is contiguous to the city on its western boundary for a distance of approximately 16,500 feet. With a total perimeter length of approximately 19,200 feet, this represents 85% of its boundary.

2. THE AREA PROPOSED FOR ANNEXATION MUST HAVE A UNITY OF INTEREST WITH THE MUNICIPALITY:

A large percentage of the residents in the area have municipal services at the present time. In addition, a large percentage of the residents of the area work, shop and spend much of their recreational time inside the City of Fort Wayne. The 1970 Census has defined an "Urbanized Area" around Fort Wayne and this proposed annexation falls within this area.

3. THE ADVANTAGES TO THE AREA PROPOSED FOR ANNEXATION MUST OUTWEIGH THE DISADVANTAGES:

Residents of the area would experience an increase in taxes. This increase, however, would be more than offset by the provision of more services to the area.

4. THE ADVANTAGES TO THE CITY MUST OUTWEIGH THE DISADVANTAGES:

The city would continue to realize a normal, active growth. All projections indicate that the Fort Wayne urbanized area is and will continue to grow into the foreseeable future. This growth can only be accommodated by the provision of additional utility service and by improving present transportation facilities. The cost of these services must be borne by those who demand it. Annexation is one way of insuring that the costs of this growth are distributed equitably.

To insure that the proper planning of these additional services is done thoroughly and efficiently, areas such as this must be included.

5. THE DEFICIT OF INCOME AGAINST EXPENSE TO THE CITY MUST NOT BE UNREASONABLE:

Through annexation the City would realize a net gain in income. The excess of revenues over expenditures would total \$101,141.00 by the second year.

6. THE CITY HAS DEVELOPED A FISCAL PLAN TO FURNISH THE TERRITORY WITHIN A PERIOD OF THREE (3) YEARS, GOVERNMENTAL AND PROPRIETARY SERVICES:

At the present time, a large percentage of this area is either being served by city water and sanitary sewers. Other city services, such as police and fire protection road maintenance, garbage collection, etc. would commence upon annexation.

7. THAT THE RESIDENT POPULATION IS EQUAL TO AT LEAST THREE (3) PERSONS PER ACRE, OR THAT THE LAND IS ZONED FOR COMMERCIAL, BUSINESS OR INDUSTRIAL USES, OR THAT SIXTY PERCENT (60%) OF THE LAND IS SUBDIVIDED:


Since the present population of the area is approximately 4,400 persons, this would exceed the three (3) persons per acre set forth on the 327 acre annexation.

8. THE CITY MUST DESIRE TO ANNEX THE AREA:

This area represents a normal, logical extension of the city and has the potential for absorbing needed growth.

Based upon the above, it is the finding of the Planning Staff that the area proposed for annexation by Bill No. X-72-12-08 meets the criteria for annexation and, therefore, should be returned to the Common Council with the recommendation that it DO PASS.

Respectfully submitted,


Dr. Jerry Roswell
Chairman
Subdivision and Annexation Committee

PLANNING COMMISSION STAFF

Annexation Study

At the regular meeting of the Common Council held December 5, 1972, the proposed ordinance annexing territory to the City of Fort Wayne was introduced and referred to the Committee on Annexation.

The boundaries of the area described in the pending ordinance are shown by the accompanying map.

I. Basic Data:

A. LOCATION:

Bounded on the north, west and south by the Fort Wayne Corporate limits, bounded on the east by St. Joe Road.

B. SIZE:

Approximately 327 acres or .51 square miles.

C. POPULATION:

Using a factor of 2.7 persons per housing unit derived from 1970 census tract figures for the area, the estimated population of this area is approximately 4,400 persons.

D. BUILDINGS:

<u>TYPE</u>	<u>NUMBER</u>	<u>CONDITION</u>
Residential	14	Good
Apartments	1,610	Excellent
Total number of housing units	1,624	
Apts. under construction	200	
Shopping Ctr.	2	Excellent
Gas Station	1	Good

E. STREETS & ROADS:

<u>JURISDICTION</u>	<u>NO. OF MILES</u>	<u>CONDITION</u>
County	2.45	Fair to good

F. ZONING:

<u>JURISDICTION</u>	<u>ZONING</u>	<u>NO OF ACRES</u>
City of Fort Wayne	"RA" (2) "B2A" Shopping Ctr. Symbols	327

G. LAND USE (Present):

<u>LAND USE</u>	<u>PRESENT OCCUPANCY</u>	
<u>TYPE</u>	<u>ACRES</u>	<u>%</u>
Residential	216.07	66
Commerical	26.06	8
Street & Roads	14.87	5
Vacant Land	70	21
	327	100

H. LAND USE PLAN:TYPE

Low density residential

II. GROWTH POTENTIAL:CANTERBURY GREEN:

The farms that once covered this area were still there as late as 1968. Since then 1,610 apartment dwelling units were constructed and 200 units are yet to come.

When these plans are consummated all land will be occupied by either dwelling units or open space including a golf course. Soil conditions are mixed but generally they do not preclude this development.

The 1963 Master Plan suggested that this area should be low density residential. Current studies and de facto development indicate, however, the the move to develop this area to high-density residential is not improper and may in fact be desirable since this area is ringed with low density semi-public uses.

Access to Canterbury Green is provided by St. Joe which delivers traffic to other nearby arteries such as St. Joe Center Road and Stellhorn Road.

In 1960 the Canterbury Green area was inhabited by about 50 persons, all living on farms or large lots. At that time the mean income for all of census tract 41, in which Canterbury Green is located, was about \$8,500. Presently (1973) the area has 4,400 residents and the 1970 mean income is \$9,277.

This income figure is probably much higher now given the large influx of middle and upper income people to Canterbury Green since 1970.

III. URBAN SERVICES:

A. WATER:

The following report was submitted by D. L. Poland, Chief Water Engineer: "We have examined the area under annexation and find that all that part of the proposed Canterbury Green annexation area south of the Upper St. Joe Center Road with the exception of the few homes west of St. Joe Road and south of the St. Joe Center Road, is presently served with city water. A 16-inch water main is available along the Upper St. Joe Center Road and St. Joe Center Road and a 24 inch feeder main is planned for installation in the near future along the St. Joe Road, northward to the St. Joe Center Road and thus make an adequate supply available for the entire area.

The remaining unserved areas have access to an adequate supply through petitioning in accordance with the normal Utility policy.

It should be noted that the Diversified Utilities probably under the name of Puritan Utility has a water main along the St. Joe Road north of St. Joseph Center Road, the size, extend of its installation and its capabilities of serving properties adjacent to St. Joe Road are not known. Also, note, there is a 35% surcharge on water service for areas outside the City limits. Upon annexation, the surcharge on water service will be eliminated.

B. SEWERS:

The following report was submitted by Phillip R. Boller, Chief Water Engineer: "After examining the annexation area we found that the area to the South of St. Joe Center Road and Riveria Plaza has been or is being currently provided with both sanitary and storm sewers. The remaining area to the north of St. Joe Center Road can be serviced with sanitary sewers for an estimated cost of \$176,000.; and with storm sewers for an estimated cost of \$192,000." Also, note, there is a 100% surcharge on sewer service for areas outside the City limits. Upon annexation the surcharge on sewer service will be eliminated.

C. STREETS AND ROADS:

Some of the streets within the Canterbury Green Development have been constructed or at least up-graded to meet City Street Standard Specifications and therefore, by previous mutual agreement by the City and the owners, and developers of Canterbury Green, the City will take over street maintenance upon annexation. Also, the streets north of St. Joe Center Road are in fair to good condition except for Camden Drive and Westchester Drive, which at present are only paper streets.

St. Joe Road Improvement adjacent to Canterbury Green Apartment and The Market Place area is estimated at \$800,000. for the total improvement, including walks, lights, street, sewers and bicycle path. However, only one half of this amount should be assessed against the Canterbury Green property and the other one half against properties on the east side of St. Joe Road. By estimating the total cost to the general fund at 30% (Federal Highway Fund require a 30% local construction) the total cost to the city will be \$240,000.

Maintenance - The average cost to provide this service is \$2,100.00 per mile. This area contains approximately 2.45 miles of streets with an annual maintenance cost of \$5,145.00.

D. POLICE PROTECTION:

On the basis of one (1) officer per 500 persons, it would cost approximately \$133,328.00 to provide service to this area.

E. FIRE PROTECTION:

The following report was submitted by Thomas A. Heckman, Fire Chief: "We have studied the proposed annexation and feel there would be no additional costs to our department provided we extend service from our existing facilities".

F. STREET LIGHTING:

The following report was submitted by Fred Biggs, Assistant Chief Electrical Engineer: "At the present Canterbury Green has its own lighting. It was explained to them in the meeting that we would not assume the maintenance of this type of lighting. Mr. Rocke agreed at that time to maintain it".

G. TRAFFIC CONTROL:

The following report was submitted by Walt Stout, Traffic Engineering: "A study has been made on Canterbury Green area regarding the updating of existing traffic control signs and for additional signs that were deemed necessary for future traffic control improvements. It was found that 38 traffic signs and posts would be needed at a cost of \$635.89. Also, one (1) traffic signal would be needed at a cost of \$16,635.89."

H. GARBAGE COLLECTION:

Under the terms of the present contract, the cost for garbage collection in this area would be \$15,773.94 per year. This figure is based on 14 single family units in the area at a 1974 cost of \$19.26 per unit and 1,610 apartment units at a 1974 cost of \$19.26 per every two (2) units.

I. SCHOOLS:

This area is served by the Fort Wayne Community School System.

J. ADMINISTRATIVE COSTS:

Included in this category are several departments of the municipality which provides various services, not measurable in terms of dollars and cents.

Examples are:

City Park Board, Traffic Engineering, Civil Defense, Human Relation Commission, Building Departments, Urban Renewal, Board of Health, Planning, Humane Shelter, and smaller departments such as the Traffic Sign Shop.

The costs of the proposed annexation to these departments is difficult to determine since the services they provide are of a more general City-wide nature. Consequently, no estimate is given concerning the cost to these departments. However, all of these services would be available to the area upon annexation to the City. In fact, some of the services are probably already being utilized by the residents of the area, even though they are outside of the Corporate Limits. (The City Park Board is a case in point).

There are other municipal administrative costs which cannot be directly related to the size or demand of an area. These costs include such things as the Mayor's Office, City Council, Attorney's Office, City Clerk, Board of Public Works, and City Controller.

IV. FINANCIAL SUMMARY:A. REVENUE:1. ASSESSED VALUATION:

Present Land Value	\$ 970,410
Present Improvements	5,934,986
<hr/>	
Present Total Tax Base	\$ 6,905,396
Expected Tax Base (Includes 200 units now under construction)	\$(7,542.596)

City would receive approximately \$3.71 per \$100.00.

B. EXPECTED REVENUE BASED ON PRESENT TOTAL TAX BASE:

	<u>ACTUAL</u>	<u>POTENTIAL</u>
Property Taxes	\$ 256,190.19	\$ 256,190.19
Cigarette Tax*		12,936.00
Alcoholic Gallonage Tax*		5,940.00
Gasoline Tax*		40,128.00
Expected Revenue From 200 new units under construction		23,640.00
Total Expected Revenue	256,190.19	\$ 338,834.19

* These additional revenues will not be received until the 1980 census unless a special census is called. Also note cigarette tax would not be effected by special census and would only be effected by 1980 census.

C. TO BE SUPPLIED:EXPENDITURES

	<u>CAPITAL</u>	<u>OPERATING</u>
Traffic Control	\$ 17,271.00	\$
Streets & Roads	240,000.00	5,145.00
Street Lighting		800.00
Police Protection		133,328.00
Gargage Collection		15,773.00
TOTAL	\$ 257,271.00	\$ 155,046.00

SUMMARY:

	<u>ACTUAL</u>	<u>POTENTIAL</u>
Expected Revenue	\$ 256,190.00	\$ 338,834.00
Total Expenditures (1st Year)	(412,317.00)	(412,317.00)
Net Income (Loss) to City (1st Year)	\$ (156,127.00)	\$ (73,483.00)
Net Income (Loss) to City (2nd Year)	101,144.00	183,788.00
Net Income (Loss) to City (5 Year Total)	248,449	661,669.00

This income figure is based primarily on the five (5) major services to be supplied at the cost of the City. This figure would be somewhat less if other administrative costs could be adequately quantified. Also, the net annual income to the City could be increased by \$82,644.00 per annum if we could begin collecting the other revenues upon annexation. Assuming an annexation date of 1/1/75, this would mean a total increase in revenue of \$413,220.00 by 1980.



THE CITY OF FORT WAYNE

office of city plan commission

April 15, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached is the redefinition of uses included in the Junk Yard Screening Ordinance Bill No. G-73-10-53 as you requested. The attached redefinition excludes the large processing, extracting and manufacturing uses that was a major concern yet it still controls uses that have a serious negative effect on residential neighborhoods.

I will be glad to appear before you and answer any questions.

Sincerely,

CITY PLAN COMMISSION

Richard S. Wanush
Senior Planner

RSW:pb

MADE A MATTER OF RECORD
DATE 4/23/74 CHARLES W. WESTERMAN, CITY CLERK

JUNK YARD SCREENING ORDINANCE

Suggested Rewording of Bill No. G-73-10-53:

Section 1. It is the purpose of this ordinance to provide that the operation of Junk Yards, Refuse Dumps or Public Garages with outside overnight storage of ten (10) or more cars as defined in this chapter be effectively screened to prevent neighborhood blight, loss of property values for residential, commercial, and industrial uses adjacent to and within view of said Junk Yards, Refuse Dumps, or Public Garages with outside storage for ^{ten (10)} ~~five (5)~~ or more cars, and to make the same safe for the public health, safety and general welfare.

Section 17.B

(6) Junk Yard, Refuse Dump, or Public Garage Fencing:

- (a) An opaque, solid fence having a height above ground level of not less than seven (7) feet shall be erected on all perimeters of all Junk Yards, as defined in this chapter, Refuse Dumps and Public Garages with outside overnight storage of ten (10) or more cars as defined in this chapter. The fencing shall be of uniform material, color, and height, provided, however, that the provisions of paragraph (3) of this section referring to corner visibility must be adhered to.
- (b) Any Junk Yard, Refuse Dump, or Public Garage with overnight storage for ten (10) or more cars, existing as a permitted or non-conforming use, whether legal or not, upon effective date of this paragraph, must, if they are to continue, have an opaque fence as described in paragraph (a) above erected

Suggested Rewording of Bill No. G-73-10-53:

on all the perimeters of said use not later than
six (6) months from enactment of this ordinance.



THE CITY OF FORT WAYNE

office of city plan commission

April 15, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-07-17

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
15th day of April, 1974.

George H. Roser
Secretary

MADE A MATTER OF RECORD
DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

office of city plan commission

April 15, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to a zoning text amendment acted upon by the City Plan Commission at their regular meeting held January 28, 1974. This ordinance was given a "DO PASS" recommendation, after substantial amendments. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-73-07-17 - An ordinance amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, pertaining to Parking Area Improvement.

2. Plan Commission recommendation: DO PASS AS AMENDED

This ordinance received a DO PASS AS AMENDED recommendation on the basis of the following:

- a. Debris from certain parking areas was creating a hazard and nuisance on public right-of-ways.
- b. This hazard and nuisance would be alleviated through this proposed zoning text amendment.
- c. The appearance, safety and convenience of the downtown would be enhanced.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Richard S. Wanush
Richard S. Wanush
Senior Planner

RSW:pr

ATT.

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-07-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

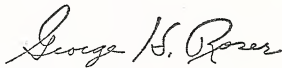
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 15, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance, as amended, DO PASS for the reasons that a need has been shown for the Text of the Zoning Ordinance to be amended, and the amendment will be in the best interest of and benefit to the City of Fort Wayne;

BE IT FURTHER resolved that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 28, 1974.

Certified and signed this
15th day of April, 1974.



George H. Roser
Secretary

2 ZONING ORDINANCE NO. Z _____

3 AN ORDINANCE amending Section 8,
4 Article II of Chapter 36 of the
5 Municipal Code of the City of Fort
6 Wayne, Indiana pertaining to Parking
Area Improvement.

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
8 FORT WAYNE, INDIANA:

9 SECTION 1. Section 8D of Article II of the Fort
10 Wayne Municipal Code, Chapter 36, is hereby repealed and in
11 lieu thereof a new Section 8D of Article II of the Fort Wayne
12 Municipal Code, Chapter 36 is hereby enacted as follows:

13 Section 8 - General Use Provision

14 D. Parking area improvement.

15 (1) The Board of Public Works of the City of Fort
16 Wayne is hereby authorized and required to prescribe minimum
17 specifications for paving, surfacing, drainage of all land
18 used for off-street parking, whether required by this Chapter
19 or otherwise, and all driveways thereto.

20 (2) All land which is hereafter placed in use for
21 off-street parking and all driveways thereto, and all land
22 which has been put to such use since on or after December 3,
23 1969, and which is hereafter to be used for off-street
24 parking, shall be paved or surfaced and shall be drained with
25 materials and in a manner which meets the minimum specifica-
26 tions and standards for parking lots adopted December 2, 1969,
27 by the Board of Public Works of the City of Fort Wayne, and
28 any current or future amendments thereto by said Board,
29 provided, however, that nothing contained in this paragraph D
30 shall be deemed to require the paving of any off-street park-
31 ing space or driveway thereto for any dwelling unit. Any
32 proposed drainage plan must be approved by the Board of Public
33 Works prior to the issuance of any Driveway Access Permit.

34 (3) All land which is located within the boundaries
35 of St. Mary's River on the North, Clay
36 Street on the East, Penn Central Railroad on
37 the South, and Fairfield Avenue on the West
38 in the City of Fort Wayne, Indiana, which has been and/or
39 hereafter is used for off-street parking, and all driveways
40 thereto, must be paved or surfaced and drained as provided
41 in the preceding paragraph.

42 (4) All land which is hereafter used and has been
43 used continuously for off-street parking and for driveways
44 thereto, on or prior to December 2, 1969, must be surfaced
45 with compacted crushed stone of uniform size and texture of
46 not less than three (3) inches depth and in a manner which
47 prevents such material from eroding, washing or otherwise
48 being deposited on public sidewalks and street rights-of-way.
49 Any continuing violation of this paragraph for a period of
50 ninety (90) days after notice of such violation has been
51 mailed by the Board of Works to the Owner of the land as shown
52 on the tax duplicates in the Office of the Assessor of Allen
53 County, Indiana, shall constitute a nuisance in violation of
54 this chapter, shall be unlawful, and such use shall be subject
55 to all penalties provided in this chapter; provided however,
that nothing contained in this paragraph shall be deemed to
require the paving of any off-street parking space or driveway
thereto for any dwelling unit.

1 (5) All land in or adjoining an R or B District
2 which is hereafter placed in use for off-street parking,
3 except for any dwelling unit, shall be landscaped to aid in
4 controlling the circulation of cars and pedestrians, to
5 identify entrances and exits, and to improve the appearance
6 of such use to maintain property values in the area and the
7 following specific landscaping requirements must be satisfied:

8 (a) All open, off-street parking areas shall
9 provide and maintain shade trees of a
10 variety hardy to this region and totaling
11 not less than 1% of the surfaced parking
12 area. The minimum size tree island
13 shall not be less than 70 square feet.

14 (b) Screening, consisting of a hedge, wall,
15 or uniformly painted fence to provide a
16 visual separator and physical barrier
17 with maximum height of four feet shall
18 be provided between said off-street
19 parking and all R and B areas. These
20 lots adjacent to a residential district
21 shall provide screening between such land
22 and the R district not less than six
23 feet in height.

24 (c) The total landscaped (green) area for
25 any parking lot shall not be less than
26 10% of the gross area developed. The
27 owner shall be responsible for the per-
28 petual maintenance of the green space.

29 (6) Set-Backs - All land used for off-street parking
30 in districts for which front yards are required by this
31 Chapter shall be located not less than five feet from any
32 property line abutting on a street; provided, however, that
33 nothing contained in this Paragraph D shall be deemed to
34 apply to any off-street parking space or driveway thereto
35 for any single family dwelling unit. All parking lots shall
have curbs around perimeters at a sufficient location to
keep vehicles from overhanging or encroaching upon abutting
properties, streets, alleys or sidewalks. Curbs are also
to be used to facilitate drainage and insure no discharge of
water onto abutting properties.

(7) Lighting - Any light used to illuminate land
used for off-street parking or driveways thereto shall be
installed on private property and maintained so as to reflect
the light away from any adjoining R District. It shall also
be designed to avoid glare into street rights-of-way.

(8) Permit - Any person constructing a parking lot
pursuant to the provisions herein after the effective date
of this ordinance shall obtain an improvement violation permit.
Said permit shall be issued after applicant has submitted
evidence that his proposed off-street parking area improvement
shall comply with provisions herein.

SECTION 2. In all other respect except as herein
repealed said Section 8, Article II of Chapter 36 of the
Municipal Code of the City of Fort Wayne, Indiana, shall be
in full force and effect.

SECTION 3. If any part, parts, section, sections,
provision, clause or portion of this ordinance shall be adjudged
invalid or unconstitutional, such invalidity or unconstitution-
ality shall not affect the validity or constitutionality of
this ordinance as a whole or any part, section, clause, pro-
vision, or portion of this ordinance.

SECTION 4. This ordinance shall be in full force
and effect from and after its passage, approval by the Mayor,
and legal publication thereof.

Councilman



THE CITY OF FORT WAYNE

office of city plan commission

April 18, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana 1946). The proposed ordinance is designated as:

Bill No. Z-74-02-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
18th day of April, 1974.

George H. Roser
Secretary

MADE A MATTER OF RECORD
DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

office of city plan commission

April 18, 1974

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held March 25, 1974. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-74-02-08
2. Plan Commission Recommendation: Petitioners Withdraw and resubmit petition to County Plan Commission.
3. This ordinance received a WITHDRAWAL recommendation for the following reasons.
 - a. The "Fringe Area" will be under the County Plan Commission's jurisdiction as of April 29, 1974.
 - b. The property pending zoning is located in the "Fringe Area".

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Richard S. Wanush
Senior Planner

RSW:pr
ATT.

cc: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-02-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance was set for May 3, 1974, and public hearing to be held on May 13, 1974; and,

WHEREAS, the area known as the "Fringe Area" will be under the County Plan Commission's jurisdiction as of April 29, 1974; and,

WHEREAS, the property to be rezoned is located in the "Fringe Area";

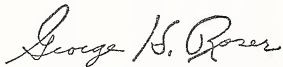
NOW THEREFORE, BE IT RESOLVED, that at their regular meeting of March 25, 1974, the City Plan Commission recommended that such proposed ordinance be withdrawn by the Petitioner, and resubmitted to the County Plan Commission;

BE IT FURTHER RESOLVED, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
18th day of April, 1974.



George H. Roser
Secretary

FREDERICK R. TOURKOW
JACK D. DANEHY
MARVIN S. CRELL
G. STANLEY HOOD
RONALD K. GEHRING
JOSHUA I. TOURKOW

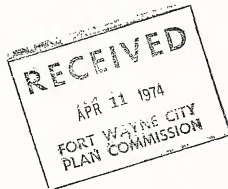
TOURKOW, DANEHY, CRELL, HOOD & GEHRING

ATTORNEYS AT LAW
814 ANTHONY WAYNE BANK BUILDING
FORT WAYNE, INDIANA 46802

April 10, 1974

TELEPHONE
422-8408
AREA CODE 219

Mr. Gary F. Baeten
Land Use Administrator
City Plan Commission
8th Floor City County Building
One East Main Street
Fort Wayne, Indiana 46802



RE: Bill No. Z-74-02-08 - From "RA" to "R3"
Ardmore Avenue and Elmcrest Drive
Letter of Withdrawal

Dear Mr. Baeten:

This will acknowledge receipt of your letter under the date of April 1, 1974, reference the above matter.

Please consider in behalf of my clients, Gene and Marjorie Kunberger, that this is a letter of withdrawal reference the above petition.

Could you please send back our original \$50.00 filing fee, and we shall refile the entire matter with the County.

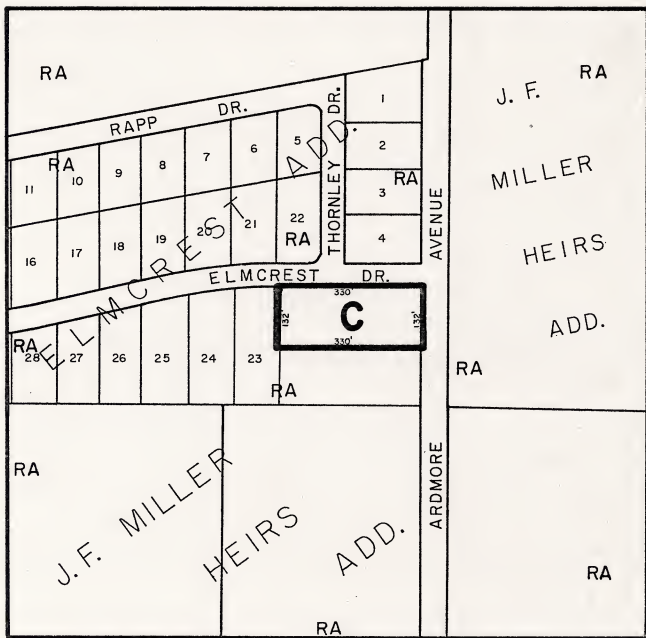
Could we please hear from you in this regard no later than Wednesday, April 17, 1974.

Very truly yours,

TOURKOW, DANEHY, CRELL
HOOD & GEHRING

G. Stanley Hood
G. Stanley Hood

GSH/peo
CC: Gene Kunberger



C CHANGE FROM RA TO R3

N





THE CITY OF FORT WAYNE

department of public safety

April 19, 1974

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 12-74/D 13-74/E and 14-74/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo, Jr.

Thomas J. Casaburo
Director of Public Safety

MADE A MATTER OF RECORD
DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 12-74 /D), 13-74/E & 14-74/E

I hereby certify that I did this 19th day of
April, 1974 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
13-74/E & 14-74/E
Regulatory Resolution No. 12-74 /D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordinance
G-55, adopted FEB. 14, 1961.

Richard M. Dake
by ss

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO 4-74/E

(Adopted April 19, 1974)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Renew & Extend Regulatory Resolution 6-74/E

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated April 17, 1974, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective April 19,

1974, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Kinniard Avenue - north side - from Brooklyn Ave to 275' east thereof

B. SPEED LIMIT 40 MPH

1. Bluffton Road - from - Vesey Avenue to the South City Limits

REGULATORY RESOLUTION NO. 13-74/E

(Adopted April 19 74)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to Designate No Parking and Stop Intersection

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated April 17, 19 74, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective April 19 74, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Clinton St. - west side - from Washington Blvd. to Brackenridge Street

B. STOP INTERSECTION

1. Barr Street - stop - for Wayne Street

REGULATORY RESOLUTION NO. 12-74 /D

(Adopted April 19, 19 74)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to Designate
No Parking

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 17, 19 74 submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 121 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby

ordered, effective April 19, 19 74, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. NO PARKING

1. Hanna Street - west side - from East Sherwood Terrace to 40 feet south thereof.

STATE OF INDIANA

INDIANA STATE HIGHWAY COMMISSION

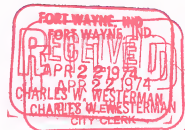
100 North Senate Avenue
Indianapolis, Indiana 46204



INDIANAPOLIS

Room 1101, State Office Building
317-633-5816
April 17, 1974

City Clerk
City-County Building
Fort Wayne, Indiana



Re: SR 1
City of Fort Wayne
Allen County
Speed

Dear Sir:

Attached is a copy of a resolution regulating speed on SR 1 in the City of Fort Wayne, Allen County, as approved by the Indiana State Highway Commission on April 16, 1974.

Very truly yours,

Clinton A. Venable

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor I. Lebanoff
Clerk of Circuit Court
State Police
Fort Wayne District

GAV/md

MADE A MATTER OF RECORD
DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Speed shall be regulated on SR 1 in the City of Fort Wayne, Allen County, as follows:

All traffic on SR 1 (Baer Field Expressway) from the Bluffton Road to a point 2000 feet southwest of Fairfield Avenue, a distance of approximately 2.09 miles. Existing limit - 50 MPH 55 MPH

Southbound traffic on SR 1 (Baer Field Expressway) from Fairfield Avenue to a point 2000 feet southwest of Fairfield Avenue, a distance of approximately 2000 feet. Existing limit - 50 MPH. 55 MPH

Northeastbound traffic on SR 1 (Baer Field Expressway) from a point 2000 feet southwest of Fairfield Avenue to a point 500 feet southwest of Fairfield Avenue, a distance of approximately 1500 feet. Existing limit - 50 MPH. 45 MPH

Eastbound traffic on SR 1 (Baer Field Expressway, Paulding Road) from a point 500 feet southwest of Fairfield Avenue to US 27 (Lafayette St.), a distance of approximately 3600 feet. Existing limit - 35 MPH & 50 MPH. 35 MPH

Westbound traffic on SR 1 (Paulding Road) from US 27 (Lafayette St.) to Fairfield Avenue, a distance of approximately 3100 feet. Existing limit - 35 MPH. 35 MPH

NOTE: This action amends and/or supercedes previous official action at the above named location(s).

ADOPTED THIS 16th DAY OF April, 19 74

Approved: Clinton A. Husick Indiana State Highway Commission
Chief, Division of Traffic

Approved: Robert L. Eskin BY: Roger J. Marsh
Chief of Highway Operations Executive Director

Approved: G. K. Hallenbach ATTEST:
Chief Highway Engineer

David L. Waggoner
Secretary to the Commission

STATE OF INDIANA

INDIANA STATE HIGHWAY COMMISSION

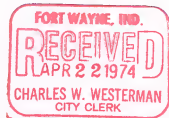
100 North Senate Avenue
Indianapolis, Indiana 46204



INDIANAPOLIS

Room 1101, State Office Building
317-633-5816

April 17, 1974



City Clerk
City-County Building
Fort Wayne, Indiana

Re: US 27 & US 30
City of Fort Wayne
Allen County
Speed

Dear Sir:

Attached is a copy of a resolution regulating speed on US 27 and US 30 in the City of Fort Wayne, Allen County, as approved by the Indiana State Highway Commission on April 16, 1974.

Very truly yours,

Clinton A. Venable

Clinton A. Venable
Chief, Division of Traffic

cc: Mayor I. Lebanoff
Clerk of Circuit Court
State Police
Fort Wayne District

GAV/md

MADE A MATTER OF RECORD
DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK

NOTICE OF OFFICIAL ACTION
OF
INDIANA STATE HIGHWAY COMMISSION

WHEREAS, under and by virtue of the Statutes of the State of Indiana relative to traffic regulation, the Indiana State Highway Commission has the authority and the duty to adopt and promulgate regulations in the interest of the safety and convenience of the traveling public using the highways, including streets in cities and towns, under the control of said Commission, be it known that the following traffic regulation is hereby adopted:

Speed shall be regulated on US 27 and US 30 in the City of Fort Wayne, Allen County, as follows:

All traffic on US 27 (Lafayette St.) from Pettit Avenue to McKinnie Street, a distance of approximately 0.50 mile. Existing speed limit - 30 MPH. 35 MPH

Northbound (one-way) traffic on US 27 (Lafayette St.) from McKinnie Street to Douglas Street, a distance of approximately 2.00 miles. Existing limit- 30 MPH. 35 MPH

All traffic on US 30 Bypass (Coliseum Blvd.) from the US 24-30 interchange to a point 400 feet east of Parnell Avenue, a distance of approximately 4.16 miles. Existing speed limit - 55 MPH (State speed limit) and 50 MPH. 50 MPH

NOTE: This action amends and/or supercedes previous official action at the above named location(s).

ADOPTED THIS 16th DAY OF April, 19 74

Approved: *Clinton M. Mendenhall* Indiana State Highway Commission
Chief, Division of Traffic

Approved: *Robert L. Egan* BY: *Roger F. Marshall*
Chief of Highway Operations Executive Director

Approved: *J. K. Hallock* ATTEST:
Chief Highway Engineer

David R. Whiggans
Secretary to the Commission

RATIFICATION AND ELECTION OF APPOINTMENT

April 23, 1974

Common Council Regular Session
Council Chambers

The Common Council of the City of Fort Wayne, Indiana, held on the above date during the Regular Session of Common Council election for the purpose of filling the appointment pursuant to the law, for the Public Transportation Corporation of Fort Wayne, Indiana.

Said vacancy and appointment by the Common Council of the City of Fort Wayne, Indiana, is to be named by this honorable body and to fill the time beginning March 1, 1974, for a four year tenure and to expire on March 1, 1978. Therefore the President of Common Council called for nomination and he received nomination of Robert I. Benninghoff, from Councilman Hinga, and seconded by Councilman Kraus, and then it was moved by Councilman Donald Schmidt, and seconded by Councilman Burns, that Marie Schneider, be placed in nomination. The Chair then recognized a move that nominations be closed. President Samuel J. Talarico then called for the City Clerk Charles W. Westerman to call the roll for casting the deciding vote. The following vote was cast by the Council.

Robert Benninghoff - (6) Six Votes
Marie Schneider - (2) Two Votes
One Absent

Therefore the election was confirmed, and Robert Benninghoff, was duly elected as the ratified appointment of the Common Council.

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

ATTEST: (SEAL)

4-23-74

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 23rd day of April, 19 74; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 23rd day of April, 19 74.

Charles W. Westerman
City Clerk

SEAL